

REMARKS

Applicant requests entry of the above amendments, in that they are made simply for purposes of clarity and syntax, adding commas or other minor changes.

The effort to amend the claims pursuant to the previous document filed July 10, 2007 resulted in non-entry of the amendment, because the previous attempt to amend clause (b) of claim 1 to recite that the channel is sized to comprise a connection means between said proximal end and distal ends was regarded by the Examiner as being new matter. Applicant respectfully disagrees with that, because it is clear from the drawings, for example Fig. 6, that the conduit does, in fact, extend between the proximal and distal ends and connects them in that manner.

However, the wording as preferred by the Examiner, which is retained in clause (b) of claim 1 as it is herein sought to be amended, such that the connection means, when in a fully deployed state, has its distal end disposed within the pharynx above the epiglottis and at a distance from the epiglottis.

It is submitted that it is inherent that the connection means thus occurs between the proximal and distal ends and, because the Examiner prefers the earlier wording, applicant herewith agrees with the Examiner that the earlier wording is acceptable.